No. 88-1585

Supreme Court, U.S.
FILED
MAR 31 1989
JOSEPH F. SPANIOL, JR
CLERK

IN THE
SUPREME COURT OF THE UNITED STATES
OCTOBER TERM, 1988

NORMAN B. SMITH and ROBERT A. BAILEY,

Petitioners,

v.

UNITED STATES OF AMERICA,

Respondent.

SUPPLEMENTAL APPENDIX TO PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT

John Gigounas, Esq.
(Counsel of Record)
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(415) 391-4900
Attorneys for Petitioners

March 29, 1989

Included herein in the supplemental appendix is Exhibit E which is correctly printed and was misprinted in the appendix (Exhibit E) included in the appendix as part of the Petition for Certiorari. Exhibit E of the appendix attached to the petition should be entirely disregarded and this supplemental Exhibit E substituted in lieu thereof.

Filed October 24, 1986

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF WYOMING

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	No. CR85-100-K
	)	
vs.	)	
	)	
NORMAN B. SMITH and ROBERT A. BAILEY,	)	
	)	
	)	
Defendants.	)	

V E R D I C T

We, the jury duly empaneled in the above-entitled matter, do find the defendant NORMAN B. SMITH _____ GUILTY of conspiracy as set forth in Count One of the Indictment.

We, the jury duly empaneled in the above-entitled matter, do find the defendant ROBERT A. BAILEY _____ GUILTY of conspiracy as set forth in Count One of the Indictment.

We, the jury duly empaneled in the above-entitled matter, do find the defendant NORMAN B. SMITH _____ GUILTY of making false statements and aiding and abetting as set forth in Count Two of the Indictment.

We, the jury duly empaneled in the above-entitled matter, do find the defendant ROBERT A. BAILEY _____ GUILTY of making false statements and aiding and abetting as set forth in Count Two of the Indictment.

We, the jury duly empaneled in the above-entitled matter, do find the defendant NORMAN B. SMITH NOT GUILTY of making false statements and aiding and abetting as set forth in Count Three of the Indictment.

We, the jury duly empaneled in the above-entitled matter, do find the defendant ROBERT A. BAILEY NOT GUILTY of making false statement and aiding and

abetting as set forth in Count Three of the Indictment.

We, the jury duly empaneled in the above-entitled matter, do find the defendant NORMAN B. SMITH NOT GUILTY of making false statements and aiding and abetting as set forth in Count Four of the Indictment.

We, the jury duly empaneled in the above-entitled matter, do find the defendant ROBERT A. BAILEY NOT GUILTY of making false statements and aiding and abetting as set forth in Count Four of the Indictment.

We, the jury duly empaneled in the above-entitled matter, do find the defendant NORMAN B. SMITH _____ GUILTY of making false statements and aiding and abetting as set forth in Count Five of the Indictment.

We, the jury duly empaneled in the above-entitled matter, do find the

defendant ROBERT A. BAILEY _____ GUILTY of making false statements and aiding and abetting as set forth in Count Five of the Indictment.

We, the jury duly empaneled in the above-entitled matter, do find the defendant NORMAN B. SMITH _____ GUILTY of making false statements and aiding and abetting as set forth in Count Six of the Indictment.

We, the jury duly empaneled in the above-entitled matter, do find the defendant ROBERT A. BAILEY _____ GUILTY of making false statements and aiding and abetting as set forth in Count Six of the Indictment.

We, the jury duly empaneled in the above-entitled matter, do find the defendant NORMAN B. SMITH _____ GUILTY of making false statements and aiding and abetting as set forth in Count Seven of the Indictment.

We, the jury duly empaneled in the above-entitled matter, do find the defendant ROBERT A. BAILEY _____ GUILTY of making false statements and aiding and abetting as set forth in Count Seven of the Indictment.

We, the jury duly empaneled in the above-entitled matter, do find the defendant NORMAN B. SMITH NOT GUILTY of making false statements and aiding and abetting as set forth in Count Eight of the Indictment.

We, the jury duly empaneled in the above-entitled matter, do find the defendant ROBERT A. BAILEY NOT GUILTY of making false statements and aiding and abetting as set forth in Count Eight of the Indictment.

We, the jury duly empaneled in the above-entitled matter, do find the defendant NORMAN B. SMITH _____ GUILTY of making false statements and aiding and

abetting as set forth in Count Nine of the Indictment.

We, the jury duly empaneled in the above-entitled matter, do find the defendant ROBERT A. BAILEY _____ GUILTY of making false statements and aiding and abetting as set forth in Count Nine of the Indictment.

_____
FOREMAN

PROOF OF SERVICE

I, Linda M. Tominac, declare:

I am employed in the City and County of San Francisco, State of California. I am over the age of eighteen years and not a party to nor interested in the within action; my business address is 50 California Street, Suite 2450, San Francisco, California 94111. On March 30, 1989, I served on true copy of the within SUPPLEMENTAL APPENDIX TO PETITION FOR CERTIORARI by placing it in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Francisco, California addressed as follows:

Solicitor General
Department of Justice
Washington, D.C. 20530

I declare under penalty of perjury

that the foregoing is true and correct.

Executed on this 29th day of March, 1989 at San Francisco, California.

Linda M. Tominac